

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Amanda Harouche	Team: Team # 1	CCRB Case #: 201401819	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 02/22/2014 2:26 AM	Location of Incident: en route to the 100th precinct stationhouse	Precinct: 100	18 Mo. SOL 8/22/2015	EO SOL 8/22/2015	
Date/Time CV Reported Tue, 02/25/2014 12:01 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 02/25/2014 12:01 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Ludwig Narcisse	05313	924238	TB DT23
2. POM Karl Kautzsch	05124	924005	TB DT23

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Christophe Irons	12399	923976	TB DT23

Officer(s)	Allegation	Investigator Recommendation
A.POM Ludwig Narcisse	Abuse: PO Ludwig Narcisse refused to provide his name and shield number to § 87(2)(b)	
B.POM Karl Kautzsch	Abuse: PO Karl Kautzsch refused to provide his name and shield number to § 87(2)(b)	
C.POM Ludwig Narcisse	Abuse: PO Ludwig Narcisse did not obtain medical treatment for § 87(2)(b)	
D.POM Karl Kautzsch	Abuse: PO Karl Kautzsch did not obtain medical treatment for § 87(2)(b)	

### Case Summary

On February 25, 2014, § 87(2)(b) filed the following complaint with the Civilian Complaint Review Board on behalf of himself over the phone (encl. 2a-b).

On February 21, 2014, § 87(2)(b) was arrested and brought to Queens Central Booking where he was told he had to stay overnight. In the early morning of February 22, 2014, § 87(2)(b) began to act up in Queens Central Booking and PO Ludwig Narcisse and PO Karl Kautzsch, from Transit District 23, were assigned to transport him to the 100<sup>th</sup> Precinct Stationhouse until he was court ready. The following allegations stemmed from this incident:

- **Allegation A: Abuse of Authority – PO Ludwig Narcisse refused to provide his name and shield number to § 87(2)(b)**
- **Allegation B: Abuse of Authority – PO Karl Kautzsch refused to provide his name and shield number to § 87(2)(b)**
- **Allegation C: Abuse of Authority – PO Ludwig Narcisse did not obtain medical treatment for § 87(2)(b)**
- **Allegation D: Abuse of Authority – PO Karl Kautzsch did not obtain medical treatment for § 87(2)(b)**

§ 87(2)(g)

This case was not eligible for mediation.

### Results of Investigation

#### Civilian Statements

##### **Complainant/Victim: § 87(2)(b)**

- § 87(2)(b) is a § 87(2)(b), black male, standing 6'0" tall, weighing 200 pounds, with black hair and brown eyes.
- § 87(2)(b)

##### **CCRB Statement:**

§ 87(2)(b) provided a phone statement during his intake call on February 25, 2014 (encl. 2a-b) and was interviewed at the CCRB on February 26, 2014 (encl. 2c-e). § 87(2)(g)

On February 21, 2014, § 87(2)(b) was arrested at the A subway station at the intersection of Liberty Avenue and Rockaway Boulevard in Queens for § 87(2)(b)

§ 87(2)(b) was transported to a stationhouse that was connected to the train station and then he was transported to Queens Central Booking around 1:00pm.

Around 1:20 a.m. on February 22, 2014, all of the inmates at Queens Central Booking were told that they would stay overnight and see a judge in the morning. § 87(2)(b) was hungry and thirsty and did not want to eat the peanut butter and jelly sandwich he was given in Queens Central Booking nor did he want to drink from the water fountain that was attached to the toilet.

Around 1:30 a.m., § 87(2)(b) starting panicking and his heart was making funny beating sounds and he was getting shortness of breath. § 87(2)(b) requested medical help and § 87(2)(b) saw an EMT at 2:25 or 2:30 a.m. The EMT told § 87(2)(b) that nothing was wrong with him and that he was just thirsty. § 87(2)(b) argued with her because she did not examine him. The EMT told the correctional officer to move § 87(2)(b) to a cell that was across from her office. From his cell, § 87(2)(b) pleaded for water but was given a milk box. The EMT then checked § 87(2)(b)'s vitals and told him that his breathing and heart rate were fine. The EMT would not show him the number on the heart rate machine and § 87(2)(b) started to panic because he thought something was wrong with him. The EMT told a correctional officer to put § 87(2)(b) back in his cell. When § 87(2)(b) returned to his cell he began to scream for help for 30 minutes. A correctional officer told him that he could not scream and § 87(2)(b) explained to the correctional officer that he was panicking. The correctional officer then told § 87(2)(b) that she could call the precinct that arrested him and that they could take it from there.

Ten minutes later, two uniformed officers, PO Karl Kautzsch who was identified by the investigation and described as a white male in his 50's, around 6' to 6'2" with white hair, and PO Ludwig Narcisse who was identified by the investigation and described as a black male with a medium skin tone in his 30's or 40's, standing around 5'5" to 5'7" tall. PO Kautzsch and PO Narcisse came in a marked police car to pick § 87(2)(b) up from Queens Central Booking. PO Kautzsch was the driver and PO Narcisse was the front passenger. § 87(2)(b) explained to the officers that he was hungry and thirsty since he had not had anything to eat or drink since Thursday night. PO Kautzsch parked the vehicle for ten minutes in front of a train station and PO Christopher Irons, who was identified by the investigation and described as a 30-40 year old white male 6'0" or taller, entered the car. PO Kautzsch then drove to the 100<sup>th</sup> Precinct stationhouse.

When the car was parked in front of the stationhouse, § 87(2)(b) realized that he was not going to be brought to the hospital. § 87(2)(b) told the officers that he needed to go to the hospital but no one answered him. When § 87(2)(b) first exited the car, outside of the stationhouse, PO Kautzsch and PO Narcisse were standing in front of him and he said, "We're not going to the hospital? I thought we were going to the hospital. You know what, officer, what is your name and badge number?" § 87(2)(b) directed his statement to both PO Kautzsch and PO Narcisse and said it loudly so that they both heard. Neither officer responded to him. PO Kautzsch held his left upper arm and PO Narcisse held his right upper arm and pushed him to walk forward. PO Irons did not hold § 87(2)(b) (Later in his statement he said that he was not sure if PO Kautzsch or PO Irons was holding his left arm but knew that PO Narcisse was definitely holding his right arm.) In his phone statement, § 87(2)(b) stated that he did not request anything from PO Irons. § 87(2)(b) said to the two officers that were holding him, "Officer, can you please take me to the hospital?" but the officers just pushed § 87(2)(b) forward so that he would keep moving. When he entered the first door in the stationhouse, and was in the vestibule between the first set of doors and the second set of doors, § 87(2)(b) turned to his right and said to PO Narcisse, "What is your name and badge number?" PO Narcisse responded by pushing § 87(2)(b) so he would keep walking forward.

§ 87(2)(b) was placed in the cell and he heard PO Narcisse say to other officers in the stationhouse, "There is nothing wrong with him. He's lying." § 87(2)(b) was brought back to Queens Central Booking the next day by different officers.

## **NYPD Statements:**

### **Subject Officer: PO LUDWIG NARCISSE**

- *PO Ludwig Narcisse is a § 87(2)(b)-old black male, standing 5'11" tall, weighing 200 pounds, with Black hair and brown eyes.*
- *PO Narcisse worked from 11:15pm on February 21, 2014 until 7:50am on February 22, 2014. He was dressed in uniform, assigned to Sector 23A and working with PO Kautzsch in marked RMP #4524.*

### **Memo Book:**

At 2:25am, PO Narcisse arrived at Queens Central Booking. At 2:30am, he was en route to the 100<sup>th</sup> Precinct Stationhouse from Queens Central Booking transporting 1 perpetrator. At 3:04, PO Narcisse at the 100<sup>th</sup> Precinct stationhouse. At 3:20am, PO Narcisse took his meal at the Transit District 23 Stationhouse (encl. 3a-c).

### **CCRB Statement:**

PO Narcisse was interviewed at the CCRB on June 30, 2014 (encl. 3d-e).

On February 22, 2014, PO Narcisse and PO Kautzsch were told by the desk officer at TD23 to go to Queens Central Booking to retrieve a prisoner and bring him to the 100<sup>th</sup> Precinct Stationhouse. They traveled to Queens Central Booking with PO Narcisse in the passenger's seat and PO Kautzsch was the driver. The desk officer did not tell PO Narcisse why the prisoner had to be taken from Queens Central Booking and PO Narcisse did not find this information out once he got to Central Booking. PO Narcisse only knew that Central Booking could not keep him for some reason so he needed to be lodged at the 100<sup>th</sup> Precinct Stationhouse.

PO Narcisse did not pick up another officer while transporting § 87(2)(b) § 87(2)(b) was not speaking when he was being transported to the 100<sup>th</sup> Precinct Stationhouse. § 87(2)(b) did not make any requests when he was being transported. § 87(2)(b) did not say anything about needing to go to the hospital. § 87(2)(b) did not ask PO Narcisse for his name or badge number at any point. § 87(2)(b) did not ask PO Kautzsch for his name or badge number either.

Once he arrived at the 100<sup>th</sup> Precinct Stationhouse, PO Narcisse and PO Kautzsch lodged § 87(2)(b) § 87(2)(b) into the cells and then went to meal at the Transit District 23 stationhouse.

### **Subject Officer: PO KARL KAUTZSCH**

- *PO Karl Kautzsch is a § 87(2)(b)-old white male standing 6'2" tall and weighing 208 pounds with brown hair and blue eyes.*
- *On February 22, 2014, PO Kautzsch worked from 11:15pm on February 21, 2014 until 7:50am on February 22, 2014. He was assigned to Sector 23A in a marked car #4524 with PO Ludwig Narcisse.*

### **Memo Book:**

At 2:25am, PO Kautzsch arrived at Queens Central Booking. At 2:30am, he transported one perpetrator to the 100<sup>th</sup> Precinct Stationhouse and at 3:04am, he arrived at the 100<sup>th</sup> Precinct Stationhouse with all occupants out of the car and no weapons or contraband found in the back. At 3:20am, PO Kautzsch arrived at Transit District 23 Stationhouse for meal (encl. 3f-h).

**CCRB Statement:**

PO Karl Kautzsch was interviewed at the CCRB on July 23, 2014 (encl. 3i-j).

PO Kautzsch did not independently recall this incident. He only remembered that he and PO Narcisse were given an assignment to go to Queens Central Booking and transport a perpetrator to the 100<sup>th</sup> Precinct stationhouse. PO Kautzsch did not remember why the perpetrator had to leave Queens Central Booking but assumed it was because he was not court ready because generally speaking, perpetrators will need to be picked up from Queens Central Booking and transported to the local precinct with active cells until they are considered court ready. He did not independently recall the perpetrator that he transported from Queens Central Booking to the 100<sup>th</sup> Precinct Stationhouse on February 22, 2014 or any of the requests the perpetrator made.

PO Kautzsch was shown a photograph of § 87(2)(b) but he did not recall interacting with him on February 22, 2014. He did not remember § 87(2)(b) asking to go to the hospital and he did not know if § 87(2)(b) asked PO Narcisse to go to the hospital. PO Kautzsch did not remember § 87(2)(b) asking him or PO Narcisse for their names or badge numbers. PO Kautzsch stated that he would have provided his name and badge number to § 87(2)(b) and taken § 87(2)(b) to the hospital if he had asked but PO Kautzsch did not remember § 87(2)(b) making these requests since he did not remember interacting with § 87(2)(b) on February 22, 2014.

PO Kautzsch did not remember picking up another officer from a train station while he was transporting the perpetrator from Queens Central Booking to the 100<sup>th</sup> Precinct Stationhouse and he did not have any notation in his memo book that he did so.

**Witness Officer: PO CHRISTOPHER IRONS**

- *PO Christopher Irons is a § 87(2)(b)-old white male, standing 6'0" tall, weighing 209 pounds with brown hair and blue eyes.*
- *On February 22, 2014, PO Irons worked from 11:15 p.m. on February 21, 2014 until 7:502 a.m. on February 22, 2014. PO Irons was originally assigned to train post #3 but his assignment was then changed to guard a prisoner at the 100<sup>th</sup> Precinct stationhouse. PO Irons was dressed in uniform, working on foot, and working by himself.*

**Memo Book:**

At 2:12am, PO Irons assignment was changed to guard perpetrator at the 100<sup>th</sup> Precinct stationhouse. At 3:15am, PO Irons arrived at the 100<sup>th</sup> Precinct stationhouse. He lodged perpetrator, § 87(2)(b) in cell one. A search was conducted in front of desk officer. At 7:50am, PO Irons was relieved by PO Segot and he ended his tour (encl. 3k-m).

**CCRB Statement:**

PO Irons was interviewed at the CCRB on September 26, 2014 (encl. 3n-o).

PO Irons was at the Rockaway Boulevard subway station when he received a phone call on his cell phone stating that his assignment was changed to guard a prisoner at the 100<sup>th</sup> Precinct stationhouse. PO Irons was not sure who gave him those instructions but thought that it could have been either the patrol supervisor or the desk officer. PO Irons did not remember if there was any information given to him when he received the phone call about why he needed to guard the prisoner. PO Irons did not remember the reason why § 87(2)(b) had to stay in the 100<sup>th</sup> Precinct stationhouse that night.

PO Irons traveled from the Rockaway Boulevard subway station to the 100<sup>th</sup> Precinct stationhouse but he did not remember exactly how he traveled from Rockaway Boulevard to the 100<sup>th</sup> Precinct stationhouse, but stated that he would have had to have been picked up because the subway station he was at is about five miles away from the 100<sup>th</sup> Precinct stationhouse. He did not remember if he was in a car with PO Kautzsch or PO Narcisse when they were transporting § 87(2)(b) but stated that he could have been with them.

PO Irons did not independently remember § 87(2)(b) and a picture did not refresh his memory. He did not remember § 87(2)(b) being unhappy about being taken to the 100<sup>th</sup> Precinct stationhouse as opposed to the hospital. While being brought into the stationhouse, PO Irons did not remember hearing § 87(2)(b) asking PO Kautzsch or PO Narcisse, “Can you please take me to the hospital?” § 87(2)(b) did not ask PO Irons this either. PO Irons stated that if § 87(2)(b) had made any request to go to the hospital he would have called his desk officer but he did not remember this happening. PO Irons did not remember hearing § 87(2)(b) ask PO Narcisse or PO Kautzsch for their name and badge numbers.

PO Irons did not remember anything about his interaction with § 87(2)(b) in the stationhouse.

#### **Summons/Arrest for Incident and Disposition**

- § 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

#### **Status of Civil Proceedings**

- § 87(2)(b) has not filed a Notice of Claim with the City of New York as of July 31, 2014 with regard to the incident (encl. 7a).

#### **Civilian Criminal History**

- § 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

#### **Civilian CCRB History**

- § 87(2)(b) has filed the following CCRB complaints (encl. 1c-d):
  - § 87(2)(b)

#### **Subject Officers CCRB History**

- PO Narcisse has been a member of the service for 15 years and there is one substantiated CCRB allegation against him (encl. 1a).
  - In case 200507926 a discourtesy allegation was substantiated and instructions were issued.
- PO Karl Kautzsch has been a member of the service for 15 years and there are no substantiated CCRB allegations against him (encl. 1b).

## Conclusion

### Identification of Subject Officers

PO Narcisse and PO Kautzsch acknowledged transporting a prisoner from Queens Central Booking to the 100<sup>th</sup> Precinct stationhouse at the time § 87(2)(b) was transported.

### Investigative Findings and Recommendations

**Allegation A: Abuse of Authority – PO Ludwig Narcisse refused to provide his name and shield number to § 87(2)(b)**

**Allegation B: Abuse of Authority – PO Karl Kautzsch refused to provide his name and shield number to § 87(2)(b)**

**Allegation C: Abuse of Authority – PO Ludwig Narcisse did not obtain medical treatment for § 87(2)(b)**

**Allegation D: Abuse of Authority – PO Karl Kautzsch did not obtain medical treatment for § 87(2)(b)**

§ 87(2)(b) stated that when he first exited the police car in front of the 100<sup>th</sup> Precinct stationhouse he said to PO Kautzsch and PO Narcisse, “We’re not going to the hospital? I thought we were going to the hospital. You know what, officer, what is your name and badge number?” He stated he directed his statement to both PO Kautzsch and PO Narcisse but neither officer responded to him. PO Kautzsch held his left upper arm and PO Narcisse held his right upper arm and pushed him to walk forward. § 87(2)(b) said to PO Narcisse and PO Kautzsch, “Officer, can you please take me to the hospital?” but the officers just pushed § 87(2)(b) forward so that he would keep moving. When he entered the first door in the stationhouse, and was in the vestibule between the first set of doors and the second set of doors, § 87(2)(b) turned to his right and said to PO Narcisse, “What is your name and badge number?” PO Narcisse responded by pushing § 87(2)(b) so he would keep walking forward.

PO Narcisse stated that § 87(2)(b) was not speaking or making any requests when he was being transported to the 100<sup>th</sup> Precinct Stationhouse. § 87(2)(b) did not say anything about needing to go to the hospital. § 87(2)(b) did not ask PO Narcisse or PO Kautzsch for their names or badge numbers at any point.

PO Kautzsch did not recall this incident besides that he and PO Narcisse were given an assignment to go to Queens Central Booking and transport a perpetrator to the 100<sup>th</sup> Precinct stationhouse. He did not independently recall the perpetrator that he transported from Queens Central Booking to the 100<sup>th</sup> Precinct Stationhouse on February 22, 2014 or any of the requests the perpetrator made. He did not remember § 87(2)(b) asking to go to the hospital and he did not know if § 87(2)(b) asked PO Narcisse to go to the hospital. PO Kautzsch did not remember § 87(2)(b) asking him or PO Narcisse for their names or badge numbers.

PO Irons did not remember if he was in a car with PO Kautzsch or PO Narcisse when they were transporting § 87(2)(b) but stated that he could have been with them because he needed to travel from the Rockaway Boulevard subway station to the 100<sup>th</sup> Precinct stationhouse to guard § 87(2)(b). PO Irons did not independently remember § 87(2)(b). He did not remember § 87(2)(b) being unhappy about being taken to the 100<sup>th</sup> Precinct stationhouse as opposed to the hospital. While being brought into the stationhouse, PO Irons did not remember hearing § 87(2)(b).

asking PO Kautzsch or PO Narcisse to go to the hospital or asking PO Narcisse or PO Kautzsch for their name and badge numbers.

§ 87(2)(g)

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED].

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Team: \_\_\_\_\_

Investigator:	_____	_____	_____
	Signature	Print	Date

Supervisor:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date